

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

EDWARD STOLZ,

Plaintiff(s),

vs.

SAFECO INSURANCE COMPANY
 OF AMERICA,

Defendant(s).

Case No. 2:14-cv-02060-RFB-NJK

ORDER WITHDRAWING REPORT
 AND RECOMMENDATION
 (Docket No. 26)

On March 20, 2015, the undersigned entered a report and recommendation that Plaintiff's complaint be dismissed without prejudice for (1) failing to appear at the hearing scheduled for January 26, 2015; (2) failing to respond to the subsequent order to show cause; and (3) failing to timely file a notice of intent to appear *pro se* or a notice of appearance by new counsel. Docket No. 26 at 1-2. Following entry of that report and recommendation, Plaintiff's newly-retained attorney filed a notice of appearance. Docket No. 28. Plaintiff has also filed a response to the report and recommendation that "he and his counsel are prepared to comply with all Court orders as may now be given." Docket No. 31 at 2. In light of the above, the undersigned hereby **WITHDRAWS** the recommendation that the case be dismissed.

Nonetheless, Plaintiff failed to comply with several court orders without reasonable justification. Plaintiff and his new counsel acknowledge that Plaintiff "did err" in disobeying those orders. Docket No. 31 at 3. The Court hereby **ADMONISHES** Plaintiff and **CAUTIONS** him that he is required to

1 comply with all Court orders. Any future failure to comply with a Court order or any applicable rule
2 may result in the imposition of significant sanctions, up to and including case-dispositive sanctions.

3 Lastly, the Court hereby **ORDERS** the parties to submit proposed discovery plan no later than
4 April 14, 2015.

5 IT IS SO ORDERED.

6 DATED: April 7, 2015

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9 NANCY J. KOPPE
10 United States Magistrate Judge
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